

REMARKS

This is in response to the final Office Action dated July 19, 2006, in which claims 1, 7, 33, 34, 36, 38, and 44 were objected to due to informalities; claims 1, 5-9, 11-18, 21, 22, 34, 36, 38, 42-46, 48-55, 58, and 59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. (U.S. 4,560,492); claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry and further in view of Magari et al. (U.S. 4,416,809); claims 1-11, 13, 15-28, 30, 32-48, 50, 52-65, 67, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf (U.S. 5,340,501); and claims 12-14, 29, 31, 49, 51, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. (U.S. 5,876,514). With this Amendment, claims 1, 7, 33, 34, 36, 38, and 44 have been amended. In reliance on the following remarks, the present application with pending claims 1-69 is condition for allowance, and reconsideration and notice to that effect are respectfully requested.

Claim Objections

In the Office Action, independent claims 1, 33, 34, 36, and 38 were objected to because of informalities. Claims 1, 33, 34, 36, and 38 have been amended to spell out the hydroxyethylethylenediaminetriacetic acid with the acronym HEDTA in parentheses at the first occurrence of the term. In light of these amendments, the objections to claims 1, 33, 34, 36, and 38 should be withdrawn and claims 1, 34, 36, and 38 allowed.

In the Office Action, claims 7 and 44 were objected to because of informalities. Claims 7 and 44 have been amended such that the "a" before "baits" has been deleted. In light of these amendments, the objections to claims 7 and 44 should be withdrawn and claims 7 and 44 allowed.

Claim Rejections Under 35. U.S.C. §103

In the Office Action, claims 1, 5-9, 11-18, 21, 22, 34, 36, 38, 42-46, 48-55, 58, and 59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. Independent claims

1, 34, 36, and 38 each require a solid binding agent that forms from a combination of hydroxylethylenediaminetriacetic acid (HEDTA) and water. Curry et al. do not disclose this claimed element. Although Curry et al. may disclose compositions that, at some point, include both HEDTA and water, Curry et al. do not show, teach, or suggest a solid binding agent that includes both HEDTA and water. Rather, Curry et al. describes forming either liquid or granular compositions. A liquid composition cannot be considered as a solid binding agent. The granular compositions of Curry et al. are formed via a spray drying process (Col. 12, lines 13-15) that would presumably remove the water required to form the claimed solid binding agent. By contrast, claims 1, 34, 36, and 38 require a solid binding agent that forms from the combination of HEDTA and water. As stated in the specification, "...water recited in these claims relates primarily to water added to the composition that primarily associates with the binder comprising at least a fraction of the HEDTA in the composition and the water. A chemical with water of hydration that is added into the process or products of this invention wherein the hydration remains associated with that chemical (does not dissociate from the chemical and associate with another) is not counted in this description of added water to form the binding agent." (Page 5, lines 7-13). Therefore, simply because the composition of Curry et al. may contain water does not show, teach, or suggest that the water primarily associates with the binder.

Furthermore, independent claims 1, 34, 36, and 38 require that the solid binding agent be free of carbonate. Although Curry et al. do not require the presence of carbonate, it is noted that Curry et al. teach preferred granular compositions including a significant amount of carbonate. "Alkali metal carbonates are useful in the compositions of the invention....Preferred granular compositions contain from about 10% to about 40% sodium carbonate...." (Col. 9, lines 25-35). In addition Example III of Curry et al. discloses three compositions comprising 15%, 18%, and 25% by weight sodium carbonate, respectively. (Col. 12, line 23). By contrast, claims 1, 34, 36, and 38 require that the solid binding agent be free of carbonate.

Independent claims 1, 34, 36, and 38 require a solid binding agent that forms from a combination of HEDTA and water. Claims 1, 34, 36, and 38 also require that the solid binding agent

is free of carbonate. Curry et al. do not show, teach, or suggest a solid binding agent formed from HEDTA and water. Curry et al. do disclose including a substantial amount of carbonate in the granular composition.

Thus, the rejections of independent claims 1, 34, 36, and 38 should be withdrawn and independent claims 1, 34, 36, and 38 allowed. In that independent claim 1 is in condition for allowance, the rejections of claims 1-11, 13, 15-28, 30, and 32, which depend therefrom, should be withdrawn and claims 1-11, 13, 15-28, 30, and 32 allowed. In that independent claim 34 is in condition for allowance, the rejection of claim 35, which depends therefrom, should be withdrawn and claim 35 allowed. In that independent claim 36 is in condition for allowance, the rejection of claim 36 should be withdrawn and claim 37 allowed. In that claim 38 is in condition for allowance, the rejections of claims 39-48, 50, 52-65, 67, and 69, which depend therefrom, should be withdrawn and claims 39-48, 50, 52-65, 67, and 69 allowed.

In the Office Action, claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. and further in view of Magari et al. In that independent claim 1 is in condition for allowance, the rejections of claims 19 and 20 which depend therefrom, should be withdrawn and claims 19-20 allowed. In that independent claim 38 is in condition for allowance, the rejections of claims 56-57, which depend therefrom, should be withdrawn and claims 56-57 allowed.

In the Office Action, claims 1-11, 13, 15-28, 30, 32-48, 50, 52-65, 67, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf. Independent claims 1, 34, 36, and 38 each require a solid binding agent that forms from a combination of hydroxylethylenediaminetriacetic acid (HEDTA) and water. Steindorf do not disclose this claimed element. Although Steindorf may disclose compositions that, at some point, include both HEDTA and water, Steindorf do not show, teach, or suggest a solid binding agent that includes both HEDTA and water. The Office Action's reliance on Steindorf as teaching a detergent composition comprising about 15-25 wt.% and preferably about 15-20 wt.% water to form a solid binding agent with HEDTA is misplaced. While Steindorf does teach a detergent composition comprising free water and water of hydration, the amount of free water is not mentioned other than to state that it is

employed to facilitate processing and solidification. (Col. 3, lines 62-63). The water is added separately or as a constituent in one of the other components. In fact, it is preferred that at least a portion of the water is provided with the potassium alkaline source. (Col. 3, lines 67-68 and Col. 4, lines 1-7). In addition, none of Examples 1-20 of Steindorf disclosed in Table 1 list water as an element. (Columns 7 and 8, Table 1).

By contrast, independent claims 1, 34, 36, and 38 require water in combination with HEDTA to form a solid binding agent. The water is a separate element, and is not combined with other constituents in the composition. As stated in the specification, "...water recited in these claims relates primarily to water added to the composition that primarily associates with the binder comprising at least a fraction of the HEDTA in the composition and the water. A chemical with water of hydration that is added into the process or products of this invention wherein the hydration remains associated with that chemical (does not dissociate from the chemical and associate with another) is not counted in this description of added water to form the binding agent." (Page 5, lines 7-13). Therefore, although because the detergent composition of Steindorf may contain 15-25 wt.% water does not show, teach, or suggest that the water primarily associates with the binder.

Independent claims 1, 34, 36, and 38 require a solid binding agent that forms from a combination of HEDTA and water. Steindorf does not show, teach, or suggest a solid binding agent formed from HEDTA and water.

Thus, the rejection of independent claim 1 should be withdrawn and independent claim 1 allowed. In that independent claim 1 is in condition for allowance, the rejections of claims 2-11, 13, 15-28, 30, and 32, which depend therefrom, should be withdrawn and claims 2-11, 13, 15-28, 30, and 32 allowed.

Thus, the rejection of independent claim 33 should be withdrawn and independent claim 33 allowed.

Thus, the rejection of independent claim 34 should be withdrawn and independent claim 34 allowed. In that independent claim 34 is in condition for allowance, the rejection of claim 35, which depends therefrom, should be withdrawn and claim 35 allowed.

Thus, the rejection of independent claim 36 should be withdrawn and independent claim 36 allowed. In that independent claim 36 is in condition for allowance, the rejection of claim 36 should be withdrawn and claim 37 allowed.

Thus, the rejection of independent claim 38 should be withdrawn and independent claim 38 allowed. In that claim 38 is in condition for allowance, the rejections of claims 39-48, 50, 52-65, 67, and 69, which depend therefrom, should be withdrawn and claims 39-48, 50, 52-65, 67, and 69 allowed.

In the Office Action, claims 12, 14, 29, 31, 49, 51, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. In that independent claim 1 is in condition for allowance, the rejections of claims 12, 14, 29, and 31, which depend therefrom, should be withdrawn, and claims 12-14, 29, and 31 allowed. In that independent claim 38 is in condition for allowance, the rejections of claims 49, 51, 66, and 68, which depend therefrom, should be withdrawn and claims 49, 51, 66, and 68 allowed.

Conclusion

In view of the foregoing, pending claims 1-69 are in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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